

EXHIBIT F

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

KATHERINE MOUSSOURIS, HOLLY)
MUENCHOW, and DANA PIERMARINI,)
on behalf of herself and a)
class of those similarly situated,)
Plaintiffs,)
vs.) No. 15-CV-1483(JLR)
MICROSOFT CORPORATION,)
Defendant.)
_____)

CONFIDENTIAL

30(b)(6) DEPOSITION OF JOHN ADRIAN RITCHIE

VOLUME I

(Pages 1 through 279, Inclusive)

JUNE 29, 2016

REPORTED BY: ROSALIE A. KRAMM, CSR NO. 3399, CRR

1 BY MS. GEMAN:

2 Q. Yes.

3 A. I would say there isn't.

4 Q. So let's talk about them --

5 A. Can I make a distinction there?

6 Q. Yes.

7 A. This would cover the prior 12 months. If --
8 assuming a person had been enrolled that long, and the
9 current system covers the prior three or four months,
10 however long it has been, and they are kind of reviewed.

11 Q. Yes, but I mean in the past if somebody had
12 been employed long enough to be reviewed, they would
13 still do a performance summary. So it would not
14 necessarily be 12 months, there was no magic to 12 months
15 in the old system, correct?

16 MS. PERRY: Object to form.

17 BY MS. GEMAN:

18 Q. Correct?

19 A. There was an eligibility requirement.

20 Q. Right, but if you were eligible, even if you
21 hadn't been employed the full 12 months, you would
22 complete the performance summary, correct?

23 MS. PERRY: Object to form.

24 THE WITNESS: That's the required process, yes.

25 //

1 BY MS. GEMAN:

2 Q. In terms of the managers making a recommended
3 rating, can we discuss what training -- and now I'm
4 talking about the period 2010 through 2014. I understand
5 there was a change in that time to what the specific
6 rating was, but in that time period the managers gave
7 ratings every year, correct?

8 MS. PERRY: Object to form.

9 THE WITNESS: You said 2010 to 2014?

10 BY MS. GEMAN:

11 Q. Yes.

12 A. And no, that's not correct.

13 Q. Are you saying 2013?

14 A. Yes.

15 Q. So focusing on that time period, managers gave
16 ratings, correct?

17 A. Managers made an initial recommendation on what
18 they thought a performance rating should be.

19 Q. And just a question about the 1 to 5 rating, at
20 any point was 5 the best versus the worst?

21 A. Yes. Not in this period of time.

22 Q. What period of time was that in?

23 A. Pre 2006.

24 Q. And what -- in the period 2010 to 2013, did
25 managers have yearly trainings on how to assign a rating?

1 MS. PERRY: Object to form.

2 THE WITNESS: There was training available, and
3 there were resources available.

4 BY MS. GEMAN:

5 Q. Was there any required training? Any -- I'm
6 sorry.

7 Was there any required training that managers
8 had to take?

9 MS. PERRY: Object to form.

10 BY MS. GEMAN:

11 Q. In connection with assigning an initial rating?

12 MS. PERRY: Same objection.

13 THE WITNESS: What do you mean by "training"?

14 BY MS. GEMAN:

15 Q. Well, you just answered there was training
16 available. What I'm asking is, was there any that was
17 required?

18 A. No.

19 Q. The -- and the -- could you characterize the --
20 what was available for managers, just so we have the
21 names of the documents?

22 MS. PERRY: Object to form. You are asking him
23 what training resources were available to managers for
24 the system for 2011, 2012, and 2013?

25 MS. GEMAN: No. That is not what I was asking.

1 BY MS. GEMAN:

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 Q [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

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MS. PERRY: Object to form.

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THE WITNESS:

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BY MS. GEMAN:

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Q.

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A.

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1 Q. So in the peoples discussion that occurs --
2 strike that.

3 Is it the case that the direct managers give a
4 suggested impact to separate personnel who are involved
5 in the end-of-year person discussion?

6 MS. PERRY: Object to form.

7 THE WITNESS: Can you repeat that?

8 BY MS. GEMAN:

9 Q. Yes. So in the old system the direct manager
10 would not be in the calibration meeting for the employee
11 he rated or she rated, correct?

12 A. Yeah, got it.

13 Q. And instead the direct manager would assign a
14 ranking or rating and have a performance summary, and
15 that would be included in the calibration meetings,
16 correct?

17 MS. PERRY: Object to form.

18 THE WITNESS: So the calibration -- in the old
19 system, there was a direct manager who might not be in a
20 calibration meeting. Right? And so they would have
21 prepared information to share with their manager who we
22 would call the calibration manager who is actually in the
23 meeting, okay.

24 BY MS. GEMAN:

25 Q. Not just might not be, was not in the meeting,

1 Q. So, [REDACTED]

2 [REDACTED] --

3 A. Yes.

4 Q. -- at Microsoft?

5 A. Yes.

6 Q. And why is that?

7 A. [REDACTED] --

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 Q. There is a reference, it is the last full
18 paragraph --

19 A. [REDACTED]

20 [REDACTED]

21 Q. Thank you. The last paragraph on 632 says,
22 quote, [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 A. Yes.

1 Q. Do you know what the 1, 2, 3 Performance Rating
2 is?

3 A. Now this tells me we're in the 2011 to 2013
4 period.

5 Q. How do you know that?

6 A. Because the performance rating -- the 1, 2, 3
7 Performance -- this is the ratings we used at that time.
8 So our best performers -- all other things being equal,
9 best performers get increases larger than the level
10 below, the level below, and the level below.

11 Q. And since 2013, the system changed in
12 determining merit increases?

13 A. The fundamental principle of looking at
14 performance impact, performance or impact and position in
15 salary range has not changed, the fundamental approach.

16 Q. So higher performing employees receive more --
17 or higher merit increase generally?

18 A. Yes, all other things being equal.

19 Q. And that's --

20 A. [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]

25 Q. Previously we had talked about setting starting

1 salary for a new hire. Are you familiar with the term
2 "level" at Microsoft?

3 A. I am.

4 Q. And are you familiar with how levels are set
5 for particular incoming or new hires at Microsoft?

6 MS. PERRY: Object to form.

7 THE WITNESS: Can you be more specific?

8 BY MR. KLEIN:

9 Q. Well, again, if somebody was hired at
10 Microsoft, how would you know, or how would Microsoft
11 know what level that person should be set at?

12 A. Well, the individual would be hired into a
13 specific job, and that job is going to have a level
14 associated with it.

15 Q. [REDACTED]
16 [REDACTED]y

17 [REDACTED]
18 MS. PERRY: Object to form.

19 THE WITNESS: [REDACTED]

20 BY MR. KLEIN:

21 Q. Yes.

22 A. [REDACTED]

23 Q. [REDACTED]
24 [REDACTED]
25 [REDACTED]

REPORTER'S CERTIFICATE

I, Rosalie A. Kramm, Certified Shorthand
Reporter for the State of Washington, do hereby certify:

That the witness named in the foregoing
deposition was by me duly sworn; that the deposition was
then taken before me at the time and place herein set
forth; that the testimony and proceedings were reported
stenographically by me and were transcribed through
computerized transcription by me; that the foregoing is a
true record of the testimony and proceedings taken at
that time; and that I am not interested in the event of
the action.

Witness my hand dated July 9, 2016.

ROSALIE A. KRAMM

WA CSR 3399, RPR, CRR